



**Party Submission by FedEx Ground Package System, Inc.**

NTSB No. HWY20MH002  
Occurrence Date: January 5, 2020  
Location: Mt. Pleasant, Pennsylvania

Submission Date: July 23, 2021



July 23, 2021

**VIA EMAIL**

Robert Accetta  
Investigator-In-Charge (IIC)  
West Team Supervisor  
NTSB – Office of Highway Safety  
490 L'Enfant Plaza East, S.W.  
Washington, DC 20594  
[REDACTED]

Dear Mr. Accetta:

In accordance with 49 C.F.R 831.14, FedEx Ground Package System, Inc. ("FedEx Ground") makes this submission concerning the January 5, 2020 accident in Mt. Pleasant, Pennsylvania. The submission is based upon information contained in the NTSB's accident reports and the pertinent Pennsylvania State Police Report. FedEx Ground respectfully requests the right to supplement its submission if additional information becomes available.

FedEx Ground is grateful for the NTSB's work over the course of the investigation and looks forward to continuing to assist the NTSB as the investigation reaches a conclusion.

Respectfully,

FedEx Ground Package System, Inc.



FedEx Ground Package System, Inc. (FedEx Ground) offers its most sincere sympathies and condolences to everyone affected by this tragic accident, including the loved ones of the passengers and drivers who lost their lives and those who were injured. Also, FedEx Ground is grateful for the National Transportation Safety Board's expertise, professionalism, and willingness to collaborate with the parties in this investigation.

## **INTRODUCTION**

FedEx Ground appreciates the opportunity to make this Party Submission under 49 C.F.R. 831.14, concerning the accident that occurred on January 5, 2020 on Interstate 70/76 (the Pennsylvania Turnpike) in Mount Pleasant Township, Westmoreland County, Pennsylvania.

All of the following Proposed Findings are based on the National Transportation Safety Board's (NTSB) accident reports that have been shared with the participating parties and the pertinent Pennsylvania State Police Report.

## **PROPOSED FINDINGS**

### **Prior to the Accident**

- On January 5, 2020, the driver operating under FedEx Ground's motor carrier authority, Brandon Stowers<sup>1</sup> ("FedEx Ground Driver"), was operating a tractor owned by a service provider and leased to FedEx Ground under the terms of a Transportation Service Provider Agreement ("FedEx Ground tractor") pulling a FedEx Ground trailer heading westbound on the Pennsylvania Turnpike.
- For a continuous period leading up to the crash, the FedEx Ground Driver drove no faster than 52 miles per hour ("mph"), well under the 70 mph posted speed limit for the Pennsylvania Turnpike and below the advisory speed of 55 mph that was posted approximately 2,112 feet prior to the crash site.
- At approximately 12:30 a.m., the Z & D motorcoach ("motorcoach") passed the FedEx Ground tractor at a much higher rate of speed.
- The FedEx Ground Driver was driving approximately 46 mph at the time he was passed by the motorcoach.
- The estimated motorcoach speed when it passed the FedEx Ground tractor was 69 mph.
- During the time leading up to the accident, the FedEx Ground Driver faced forward, watched the road and was attentive.

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<sup>1</sup> Driver Brandon Stowers was employed by Sioux Trucking, Inc. and providing service to FedEx Ground pursuant to a contractual agreement between FedEx Ground and Sioux Trucking, Inc., an independent, incorporated business.

### **The Accident – Motorcoach Only**

- Just before entering the curve preceding the crash location, the motorcoach attained a speed of 77 mph.
- As the motorcoach navigated a curve, it lost control and collided with the embankment on the right side of the road, rolled onto the road on its passenger side and slid to a stop.
- At final rest, the motorcoach stretched diagonally across the entirety of the westbound lanes and shoulders, with its underside facing oncoming traffic.
- There was no ambient light in the area and no reflective surfaces on the motorcoach were visible to westbound traffic.
- Visibility was further diminished by the cut slope of the embankment and the trees in the area.

### **The Accident - FedEx Ground Impact**

- Before detecting the overturned motorcoach, the FedEx Ground Driver was driving along the accident curve at approximately 51.5 mph, below the posted advisory speed limit of 55 mph.
- Prior to detecting the overturned motorcoach, the FedEx Ground Driver was looking straight ahead and was attentive.
- When the motorcoach became visible, the FedEx Ground Driver sat upright, continued looking straight ahead and began reducing speed.
- According to the FedEx Ground Driver interview described in the Human Performance Factors report, he saw a “black wall.”
- Per the NTSB’s Video Study, the FedEx Ground Driver “responded quickly ... and started braking.”
- Per the NTSB’s Survival Factors report, the FedEx Ground tractor impacted the motorcoach at a “relatively slow speed of about 22 mph.”

## The Accident - UPS #1 Impact<sup>2</sup>

- Seconds after the FedEx Ground tractor made contact with the motorcoach and came to a rest, the UPS #1 truck (“UPS truck”) impacted the back of the FedEx Ground trailer at a “relatively high speed,” according to the NTSB’s Survival Factors report.
- The force of the UPS #1 truck impact propelled both trucks and the motorcoach an undetermined distance west and caused the FedEx Ground trailer to jackknife, disengage, and override the median barrier, coming to rest west of the portion of the median barrier toppled by the motorcoach.
- Because of the high speed of the UPS #1 truck, the damage to the UPS #1 cab was severe.
- Per the Survival Factors factual report, the UPS truck was “destroyed from a severe frontal collision which separated the left side of the cab completely off the truck.”
- The entire left side of the UPS #1 cab and sleeper berth had been torn open.
- At final rest, the UPS #1 trailer had intruded into the UPS #1 tractor sleeper berth.
- Per the Pennsylvania State Police Report addressing the crash occurring after the motorcoach had already crashed and overturned, the impact between FedEx Ground and

<sup>2</sup> Certain critical aspects of the subject accident were recorded on a Video Event Data Recorder (VEDR) installed in the FedEx Ground tractor. The VEDR video captures several minutes prior to the accident, the first impact between the FedEx Ground tractor and the motorcoach, and the subsequent impact with the motorcoach caused by the UPS #1 tractor. That video is the subject of the NTSB’s Video Study report. Notably, missing from the Video Study report is any mention of the UPS #1 tractor and that subsequent impact. The report acknowledges the limits of the study, “[t]he goal of this study was estimating the speed of the truck, the speed of the motorcoach, and the response time of the truck driver.” FedEx Ground submits that omission of any reference to or description of the UPS impact is material as that portion of the footage demonstrates the greater, more harmful force of the UPS impact. Specifically, when the UPS tractor impacts the FedEx Ground trailer, papers not previously dislodged by the first impact fly throughout the FedEx Ground Driver’s cab. The video also captures that at the time of the UPS impact, the speedometer reading on the VEDR video for the FedEx Ground truck went from 0 to 10 mph. Screenshots of these portions of the video are included, here.

The FedEx Ground Driver’s cab immediately after impacting the motorcoach the first time (on left). And the inside of the FedEx Ground truck upon impact by the UPS truck (on right):



Image Redacted by NTSB

the motorcoach is described as “First Harmful Event In The Crash” and the subsequent UPS impact is described as the “Most Harmful Event In The Crash.”<sup>3</sup>

### **Injuries**

- The FedEx Ground Driver, who was wearing the lap/shoulder belt at the time of the crash, was not injured.
- The FedEx Ground Passenger, who occupied the sleeper berth and utilized the sleeper berth bunk net restraint, sustained minor injuries.
- The use of restraints by the FedEx Ground Driver and Passenger is consistent with written safety rules that require all occupants to wear seat belts or to utilize the bunk net if in the sleeper berth.
- Both the Driver and Passenger of the UPS #1 truck sustained fatal injuries.

### **FedEx Ground Safety Record**

- Federal Motor Carrier Safety Administration (FMCSA) data support the superior safety record of FedEx Ground.
- FMCSA out-of-service rates in Driver and Vehicle Inspections over the previous two-year period showed that FedEx Ground substantially out-performed the national averages:
  - Driver Inspections: National Average: 5.51%, FedEx Ground: 0.7%
  - Roadside and Vehicle Inspections: National Average: 20.72%, FedEx Ground: 12.8%
- FedEx Ground has been rated “Satisfactory” – the highest rating – by the FMCSA in all five (5) of its Compliance Reviews. A “Satisfactory” rating means that FedEx Ground was found in compliance with all the applicable laws and regulations and all inspection categories were found to be satisfactory.

### **Sioux Trucking’s Safety Culture**

- As noted by the NTSB in its Motor Carrier Factors Factual Report, Sioux Trucking, Inc. (Sioux Trucking), the employer of the FedEx Ground driver, has “an established safety culture that includes extensive written policies and procedures.”
- Sioux Trucking conducts and tracks mandatory monthly training in addition to periodic safety notices, meetings, tests, and phone calls.
- New drivers are required to attend four weeks of safety training with a driver trainer.
- Additionally, Sioux Trucking abides by the safety provisions set forth in its agreement with FedEx Ground.
- Sioux Trucking had access to safety materials made available by FedEx Ground including safety information specifically addressing driver fatigue and nighttime driving.

### **FedEx Ground Commitment to Safety Rooted in Safety Technology**

- “Safety Above All” is the guiding principle of all actions at FedEx Ground.

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<sup>3</sup> The Pennsylvania State Police issued two reports, including an entirely separate report for the motorcoach-only crash.

- A pillar of FedEx Ground's highway safety is safety technology.
- FedEx Ground sets strict safety standards around safety technology, many of which exceed Department of Transportation requirements.
- Pursuant to contractual terms, service providers, including the FedEx Ground Driver's employer, Sioux Trucking, Inc., agreed to ensure all tractors leased to FedEx Ground are equipped with at least the following safety technologies:
  - Electronic Logging Devices (ELDs)
  - Forward-facing and cab-facing Video Event Data Recorder
  - Forward Collision Warning
  - Lane Departure Warning
  - Speed limiter
  - Forward Collision Avoidance and Mitigation technology (FCAM) (applicable in certain circumstances)
- Per a contractual agreement with FedEx Ground, the truck tractors are electronically speed restricted to 65 mph.

## **CONCLUSIONS**

- The FedEx Ground Driver operated the FedEx Ground tractor at remarkably safe speeds, never driving faster than 52 mph during the pertinent time period, well under the 70 mph posted speed limit for the Pennsylvania Turnpike and below the advisory speed of 55 mph that was posted approximately 2,112 feet prior to the crash site.
- In fact, when the motorcoach passed the FedEx Ground truck 5,400 feet before the accident site, the FedEx Ground Driver was driving approximately 46 mph.
- Prior to approaching the motorcoach accident, the FedEx Ground Driver was alert, facing forward and was attentive.
- The visibility in the area of the accident site was very poor. The lack of ambient lighting and reflective surfaces were compounded by the curve and cut slope of the embankment and the trees.
- Because the FedEx Ground Driver was so alert and operating with the utmost care, through the accident curve, the FedEx Ground Driver detected the motorcoach as soon as it came into view and reacted quickly.
- The FedEx Ground Driver detected the motorcoach despite the lack of ambient light and reflective surfaces and the visibility problem exacerbated by the curve, cut slope and the trees.
- The FedEx Ground Driver reacted so quickly and effectively that he was able to rapidly slow the truck to a relatively slow speed, approximately 22 mph, at the time of impact with the motorcoach.
- The FedEx Ground Driver's safe operation of the tractor, attentiveness and quick detection of the motorcoach prevented this catastrophic accident from causing even more deaths and injuries.
- The FedEx Ground Driver's effective braking of the FedEx Ground truck to approximately 22 mph substantially reduced the force of the initial impact with the motorcoach and almost certainly limited injury and loss of life.
- The FedEx Ground Driver was unharmed despite the frontal collision with the motorcoach.

- The FedEx Ground truck and trailer effectively served as a buffer between the UPS #1 truck and the motorcoach.
- Seconds after the FedEx Ground tractor made contact with the motorcoach and came to a rest, the UPS #1 tractor forcefully impacted the back of the FedEx Ground trailer at a high speed.
- The impact by the UPS #1 truck was substantially more forceful and harmful than the initial impact between the FedEx Ground tractor and the motorcoach.